

Jul 13, 2021

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

ALICIA R.,

v.

KILOLO KIJAKAZI, ACTING
COMMISSIONER OF SOCIAL
SECURITY,¹

Defendant.

No. 1:20-CV-3219-JTR

ORDER GRANTING STIPULATED
MOTION FOR REMAND
PURSUANT TO SENTENCE FOUR
OF 42 U.S.C. § 405(g)

BEFORE THE COURT is the parties' stipulated motion to remand the above-captioned matter to the Commissioner for additional administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 22. Attorney D. James Tree represents Plaintiff; Special Assistant United States Attorney Michael J. Mullen represents Defendant. The parties have consented to proceed before a magistrate judge. ECF No. 6. After considering the file and proposed order, **IT IS ORDERED:**

1. The parties' Stipulated Motion for Remand, **ECF No. 22**, is **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative action pursuant to sentence four of 42 U.S.C. § 405(g).

¹Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Kilolo Kijakazi is substituted for Andrew M. Saul as the defendant in this suit. No further action need be taken to continue this suit. *See* 42 U.S.C. § 405(g).

ORDER GRANTING STIPULATED MOTION FOR REMAND - 1

1 On remand, the Administrative Law Judge shall: (1) reevaluate the evidence
2 and Plaintiff's subjective allegations, including those pertaining to degenerative
3 changes to her hip and hip pain; (2) reevaluate Dr. Schneider's opinion;
4 (3) reassess the residual functional capacity; (4) obtain supplemental vocational
5 evidence to reevaluate whether the Plaintiff's past work can be considered past
6 relevant work; and (5) re-determine the step 4 and step 5 findings. The ALJ shall
7 additionally further develop the record, offer Plaintiff the opportunity for a new
8 hearing, and issue a new decision.

9 2. **Judgment shall be entered for PLAINTIFF.**

10 3. Plaintiff's Motion for Summary Judgment, **ECF No. 18**, is
11 **STRICKEN AS MOOT.**

12 4. An application for attorney fees and costs may be filed by separate
13 motion.

14 **IT IS SO ORDERED.** The District Court Executive is directed to enter this
15 Order, forward copies to counsel, and **CLOSE THE FILE.**

16 DATED July 13, 2021.



A handwritten signature in black ink, consisting of a stylized 'M' followed by a series of loops and a horizontal stroke.

JOHN T. RODGERS
UNITED STATES MAGISTRATE JUDGE